GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Panchayat Raj & Rural Development Department - NABARD– RIDF.II – Krishna District – Orders of the Hon'ble II Additional District Judge Court, Vijayawada in EA No.242/15 in EP No.69/11 in OS.N.34/2001, dt:8.3.2016 – Release of balance amount Rs.32,75,898/- in the 75% of the decretal amount for depositing the same in the Hon'ble II Additional District Judge Court, Vijayawada – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (PROGS.II) DEPARTMENT

G.O.Rt.No.745 Dated:08.08.2016

Read the following:

1.Orders dt:15.3.2010 of the Hon'ble II ADJ Court, Vijayawada in O.S.No.34/2001 filed by M/s. Adusumilli Constructions, Engineers & Contractors.
2. Orders dt:27.7.2011 of the Hon,ble High Court of A.P., in ASMP.No.1578/2011 in AS No.463/2011.
3. GO.Rt.No.1573, PR&RD (Progs.II) Dept, dt.18.10.2011.
4. Orders dt.8.3.2016 of the Hon'ble II ADJ Court, Vijayawada in E.A.No.242/15 in EP 69/11 in OS.No.34/2001.
5.From the E-in-C., PR., Hyd., Lr..No.NB4/RIDF/Court case/ Gundagolanu/Kri/2010, dt:14.03.2016 and 28.05.2016.

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ORDER:

In the reference 1st read above, the II Additional District Judge Court, Vijayawada has passed the following orders on 15.3.2010 in OS.No.34/2001:

"....In the result , the writ is partly decreed with proportionate costs for sum of Rs.46,88,857/- together with interest at 9% p.a. on Rs.36,92,014/- from the date of suit till the decree and thereafter the suit claim is dismissed without costs."

2. In the reference 2nd read above, the Hon'ble High Court in ASMP No.1578/2011 in AS No.463/2011 dt.27.7.2011 granted interim stay on condition of depositing 75% of decretal amount within a period of 8 weeks from the date of its order. In the G.O. 3rd read above, orders were issued releasing 75% of decretal amount of Rs.35,16,642/- out of the total of Rs.46,88,857/-.

3. In the reference 4th read above, the Hon'ble II Additional District Judge Court, Vijayawada in its orders dt.8.3.2016 in E.A.No.242/15 in EP 69/11 in OS.No.34/2001 has stated that the amount deposited by the Government is Rs.35,16,642/- which is less than 50% of the total decretal amount. In the reference 5th read above, the Engineer-in-Chief, Panchayat Raj, Hyderabad has furnished the following calculations prepared by the Additional Government Pleader, II Additional District Judge Court, Vijayawada and requested the Government to release of the balance amount of Rs.32,75,898/- to cover the 75% of the deposit amount so as to sustain the stay in the Hon'ble High court:

1.	Decretal amount	Rs.46,88,857.00
2.	Cost of the suit	Rs. 1,45,445.00
3.	Rate of interest @9% on Rs.36,92,014/- from 27.7.01 to 15.3.2010 i.e. 103 months 18 days	Rs.28,68,684.00
4.	Interest @ 6% from 16.3.2010 to till date on Rs.36,94,014/- i.e. 73 months 10 days	Rs.13,53,733.00

(PTO)

	Rs.90,56,719.00

The amount payable as per decree is Rs.90,56,719/- and 75% is	Rs.67,92,540.00
Less: Amount paid as per GO.Rt.No.1573, 18.10.2011	Rs.35,16,642.00

Balance amount to be paid	Rs.32,75,898.00
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4. Government, after careful examination of the proposal, hereby release the balance amount of Rs.32,75,898/- in the 75% of the decretal amount (Rs.67,92,540/- 75% of decretal amount - (minus) Rs.35,16,642/- amount already deposited = Rs.32,75,898/- balance amount to be deposited) under the Head of Account "2515 – MH.196 – GH.07 NABARD – SH(06) Assistance to PRIs under RIDF – 310/319" for depositing the same in the Hon'ble II Additional District Judge Court, Vijayawada.

5. The Engineer-in- Chief, Panchayat Raj, Hyderabad shall take further necessary action in the matter accordingly.

6. This order issues with the concurrence of Finance (FMU-PR&RD,RWS) Dept. vide their U.O.No.46027/61/FMU-PR&RD, RWS/2016, dated 06.07.2016.

7. A Copy of this Order is available on the internet and can be accessed at www.ap.gov.in/goir.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DINESH KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Engineer-in- Chief, Panchayat Raj, Andhra Pradesh, Hyderabad.

Copy to:

Office of the Advocate General, Andhra Pradesh High Court , Hyderabad
(for favour of information)
The Superintendent Engineer, Panchayat Raj, Krishna District.
The District Treasury Officer, Krishna District.
The Accountant General, Andhra Pradesh, Hyderabad.
The Finance (FMU-PR&RD,RWS) Department.
The PS to M (PR& RWS)
The PS to Principal Secretary (PR& RWS)
Sc /Sf.

// FORWARDED BY ORDER //

SECTION OFFICER